

**STATE BOARD MEETING DATE**

August 27, 2007

**SUBJECT:** Consideration of Case Review Case No. C-2006-078 R, William Ballesteros

**SUBMITTED BY:** Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education

**MANAGEMENT TEAM REVIEW:** August 9, 2007

**BACKGROUND INFORMATION:**

William Ballesteros applied for a Substitute Certificate on September 12, 2006. On his application, he answered “no” to the question of having been arrested for an offense for which he was fingerprinted. In addition, he answered “no” to the questions of whether he ever had a professional certificate or license revoked or suspended, and whether he had ever received a reprimand or other disciplinary action against any professional certificate or license. These questions were answered incorrectly.

The Investigative Unit contacted Mr. Ballesteros and advised him that it had reason to believe he had not answered the questions truthfully. Mr. Ballesteros then provide a written statement addressing the questions. He disclosed an incident that occurred on July 2, 2000, in Texas, and the fact that his teacher certificate had been suspended for one year as the result of striking a student. The State Board of Education (“the State Board”) previously reviewed this incident and the suspension, and approved Mr. Ballesteros’s certification.

In a subsequent statement, Mr. Ballesteros revealed that he had been arrested on May 14, 2004, in San Carlos, Arizona, and charged with assaulting a student.

On November 15, 2006, the Professional Practices Advisory Committee (“the PPAC”) reviewed Mr. Ballesteros’s application for certification. The PPAC recommended a denial of certification based on its findings of two incidents of striking a student in a five-year period. It continued that there was no evidence of any kind of sincere effort at rehabilitation by Mr. Ballesteros since the July 2000 incident in Texas. Additionally, the PPAC found that Mr. Ballesteros lacked candor in submitting his current application by initially failing to disclose prior discipline and prior arrests.

The State Board, on January 22, 2007, accepted the recommendation of the PPAC and denied Mr. Ballesteros’s application for certification.

Mr. Ballesteros timely appealed the decision of the State Board. The PPAC held a rehearing on July 10, 2007. It found that while Mr. Ballesteros’s conduct constitutes unprofessional conduct, sufficient evidence exists to mitigate the conduct. Specifically, the PPAC found, through documents and through testimony that Mr. Ballesteros did not engage in assaultive conduct toward a student on May 14, 2004, in San Carlos, Arizona.

**BOARD ACTION REQUESTED: [ ] INFORMATION [X] ACTION/DESCRIBED  
BELOW:**

That the Board accept the recommendation of the PPAC and approve Mr. Ballesteros's application for certification.

**ATTACHMENTS: YES [X] NO [ ]**